

REMARKS

Claims 9-26 are pending in this application. By this Amendment, claims 9-17 are amended and claims 27 and 28 are canceled. Support for the amendments to claims 9-11 can be found, for example, at page 7, lines 8-19, and Fig. 3 of the original disclosure. The amendments to claims 12-17 are for form. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claims in view of at least the following remarks.

The Office Action acknowledges the claim for foreign priority but alleges that a certified copy of the foreign priority document has not been filed. As indicated by the attached Form PCT/IB/304, a copy of the certified foreign priority document was filed with the International Bureau. Applicant respectfully requests that the Patent Office requests a copy of the certified foreign priority document from the International Bureau as discussed in MPEP §1893.03(c)(II) and acknowledge receipt for the foreign priority document.

The Office Action rejects claims 9-11 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. Applicant amends claims 9-11 to even further clarify the subject matter of the claims. Specifically, Applicant clarifies that the "range" is "a range of a predetermined length of the semiconductor ingot" (emphasis added). Applicant also clarifies that the ingot is cut into blocks where "the oxygen concentration [is] maximum at one end thereof and the oxygen concentration [is] minimum at the other end thereof." Based on at least the above amendments, as well as the amendments to claims 10 and 11, Applicant asserts that claims 9-11 are definite and respectfully requests withdrawal of the rejection.

The Office Action rejects claims 9-26 under 35 U.S.C. §103(a) over JP 2002-174593 (Kiyoshi) in view of JP 11-278983 (Kenji). Applicant respectfully traverses the rejection.

As a formal matter, the Office Action alleges that the application names joint inventors. However, the application only names one inventor, Makoto Iida.

Kiyoshi in view of Kenji fails to disclose and would not have rendered obvious, "a position at which the oxygen concentration is maximum or minimum . . . is determined as a cut position according to the measurement results" and "the ingot is cut in a perpendicular direction to the growth axis at the cut position into blocks each having the oxygen concentration being maximum at one end thereof and the oxygen concentration being minimum at the other end thereof," as recited in independent claim 9.

The Office Action alleges that Kiyoshi discloses a predetermined value of oxygen is sought for being the point to cut a block from the ingot. Regardless of the validity of this interpretation, as discussed on page 5, lines 1-17, of the current specification that addresses Kiyoshi, Kiyoshi does not disclose that the predetermined value is a maximum or minimum of the oxygen concentration. Accordingly, Kiyoshi fails to disclose that the cut points of the ingot are at points of maximum or minimum oxygen concentration. As a result, Kiyoshi fails to disclose that the ingot is cut into blocks having the oxygen concentration being maximum at one end thereof and the oxygen concentration being minimum at the other end thereof. Although the oxygen concentration of the blocks cut from the ingot in Kiyoshi may be within a predetermined range, because the cut points are based only on a predetermined value, the ends of Kiyoshi's blocks do not have a maximum oxygen concentration at one end and a minimum oxygen concentration at the other end (Kiyoshi, [0014] and [0017]). Thus, Kiyoshi fails to disclose and would not have rendered obvious all of the features or subject matter of claim 9.

Nor does Kenji cure the deficiency of Kiyoshi. Rather, Kenji discloses that one single crystal is divided into more than one variety of products (Kenji, paragraph [0006]). Kenji discloses that a block having both end surfaces satisfy oxygen specifications is formed. If the block having both end surfaces does not satisfy oxygen specifications, the block is re-cut until both end surfaces satisfy the specifications. Kenji does not disclose the oxygen concentration

being maximum at one end of the block and the oxygen concentration being minimum at the other end of the block. Thus, Kenji fails to cure the deficiency of Kiyoshi.

Based on the foregoing, Kenji in view of Kiyoshi fail to disclose and would not have rendered obvious all of the features and subject matter of claim 9. Thus, claim is allowable over Kiyoshi in view of Kenji. Claims 10-26 are also allowable over Kiyoshi in view of Kenji for at least the same reasons, as well as for the additional features the claims recite. Applicant respectfully traverses the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Form PCT/IB/304

Date: September 3, 2009

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